

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ST. CLAIR INTELLECTUAL PROPERTY)
CONSULTANTS, INC., A Michigan)
corporation)
Plaintiff,)
)
v.) Civil Action No. 05-273 JJF
)
MIRAGE SYSTEMS, INC., A California)
corporation, GEORGE J. MOUSSALLY, an)
individual, and KENNETH L. FORD, an)
individual,) **JURY TRIAL DEMANDED**
)
Defendants.)

**AFFIDAVIT OF GEORGE MOUSSALLY IN SUPPORT OF DEFENDANTS
MOUSSALLY AND FORD'S MOTION TO DISMISS FOR IMPROPER VENUE**

I, George Moussally, declare as follows:

1. I am the Corporate Secretary of Plaintiff Mirage Systems Inc. ("Mirage").

I am familiar with the facts set forth below and, if called upon to testify, could and would testify competently thereto.

2. I am a resident of California and a principal of Mirage Systems, Inc., a

California company with its principal place of business in Sunnyvale, California.

3. In April 2005, Mirage Systems Inc. filed an action in California Superior Court for the County of Santa Clara entitled *Mirage v. Speasl et al.*, No. 1-05-CV-039164 ("Mirage complaint"). The Mirage action requests a declaratory judgment of ownership of the Roberts patents and alleges tort claims relating to these patents against St. Clair and the inventors, Marc K. Roberts, Matthew K. Chikosky and Jerry A. Speasl.

4. I have never lived or worked in Delaware and I do not own any real property in Delaware.

Sent By: MIRAGE SYSTEMS INC;

408 524 7903;

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5. Other than passing through the state on travel, I have been to Delaware only once, in the fall of 2004, when I traveled to Delaware at Canon's request to appear as a witness in an action entitled *St. Clair v. Canon Inc. et. al.*, Civil Action No. 03-241 (JJF) ("*St. Clair v. Canon*"), pending before this Court. I did not actually testify in that action.

6. While in Delaware, I met with attorneys for Canon to prepare for my potential testimony. I did not "disseminate" the contents of the *Mirage* California action (which had not yet been filed) nor discuss my belief about ownership of the Roberts patents with representatives or employees of any of the other defendants in that action, or with representatives or employees of any other digital camera manufacturers.

Dated: June 21, 2005.

By George Moussally
George Moussally
Mirage Systems, Inc.
1031 E. Duane Avenue, Suite F,
Sunnyvale, California 94085
/

CERTIFICATE OF SERVICE

I, Edward M. McNally, hereby certify that on this 21st day of June, 2005, I electronically filed the Affidavit of George Moussally in Support of Defendants Moussally and Ford's Motion to Dismiss for Improper Venue with the Clerk of Court using CM/ECF, which will send notification of such filing to the following:

Frederick L. Cottrell, III, Esquire
Chad Michael Shandler, Esquire
Richards, Layton & Finger
One Rodney Square
Wilmington, DE 19801



Edward M. McNally (#614)
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